

June 10, 2015



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 16338  
(FIRST REVISION)

EXPIRATION DATE: March 31, 2017

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Orion Polyurethanes sp. z.o.o. S.K.A.  
Dzierzoniow, Poland

AGENT: Selena USA, Inc.  
Holland, MI

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the transportation in commerce of Division 2.1 hazardous materials in certain DOT Specification 2Q non-refillable inside containers which have been tested by an alternative method in lieu of the hot water bath test. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.

b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.

c. No party status will be granted to this special permit.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.306(a)(3)(v) in that the use of a leakage test other than a hot water bath is not authorized, except as specified herein.

5. BASIS: This special permit is based on the application of Orion Polyurethanes sp. z.o.o. S.K.A. dated November 20, 2014 submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated May 20, 2015.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Aerosols, flammable, (each not exceeding 1 L capacity)	2.1	UN1950	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Prescribed packaging is a DOT Specification 2Q non-refillable inside container that meets all requirements of § 178.33a. The container has a crimped fill/discharge valve and is filled with polyurethane foam or foam components and propellant gas with.

(2) The container has a volume not exceeding 1000 ml and a pressure not exceeding 7.3 bar (106 psig) at 23°C (73.4°F).

(3) The containers and valves conform to drawings on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD).

(4) The containers meet all requirements of § 173.306(a)(3) except for the hot water bath test requirement of § 173.306(a)(3)(v).

(5) The inner containers must be packaged in strong outer packagings conforming to § 173.301(a)(9). The completed packages shall not exceed 30 kg (66 lbs.) gross weight.

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b. OPERATIONAL CONTROLS - Prescribed containers may be transported under the provisions of § 173.306(a).

c. TESTING - As an alternative to the hot water bath test, the following testing procedures must be followed on filled containers:

(1) One completed container from every lot of 2,000 cans must be tested in accordance with Orion document DKJ/61 "Water Bath Manual," dated May 23, 2014 on file with the OHMSAPD. If the tested container shows evidence of leakage, distortion, or other defect, or if the pressure in the container exceeds 12.4 bar (180 psig) at 55 °C (131 °F), an additional three containers must be tested. If any of the three containers fails the test, the entire lot must be rejected.

(2) Each container in the lot must be weighed to ensure it meets the target weight and is within the corresponding tolerance for the container type and size as set forth in the Orion documents on file with the OHMSAPD. Any container outside this range must be rejected. If three containers in a lot are weighed outside this range, the entire lot must be rejected.

(3) Each filled container must be visually inspected. The operator must inspect the position of the valve, crimp, seam areas, evidence of container deformation, label fixation, and cap of the completed can following filling with the propellant gases. Any container with evidence of leakage must be rejected.

d. MARKING -

(1) Each container must be plainly and durably marked "DOT-SP 16338".

(2) Each outside packaging must be marked "INSIDE CONTAINERS MUST COMPLY WITH DOT-SP 16338".

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. A person who is not a holder of this special permit who receives an inner package covered by this special permit may

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reoffer it for transportation provided no modification or change is made to the inner package and it is reoffered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo aircraft, cargo vessel, passenger-carrying aircraft, and rail freight.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, aircraft, or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
  - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible,

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Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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